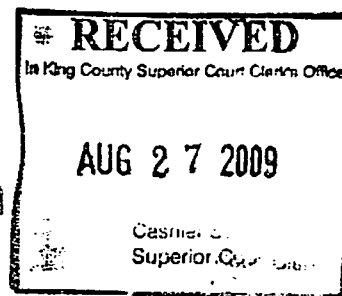


STAMP
and
RETURN



SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

WASHINGTON FAMILIES STANDING
TOGETHER and ANNE LEVINSON,

Plaintiffs,

v.

SECRETARY OF STATE SAM REED, in
his official capacity,

Defendant.

No. **09-2-31908-1 SEA**
COMPLAINT

JULIE SPECTOR

I. INTRODUCTION

1. The referendum is a fundamental right retained by the citizens of Washington to ensure that their government represents the interests of the people. While the referendum was one of the great progressive era reforms designed to check the influence of money on the levers of government, things have changed. Special interests now use paid signature-gatherers to collect sufficient signatures to place referenda and initiatives on the ballot. This leads to an increased risk of signature fraud and the potential for invalid signatures to be

1 submitted in support of a referendum. In Washington State, this risk is far from academic.
2 Washington's history is replete with incidents of election fraud. Indeed, in 1994 and 1995—
3 the first two years after Washington first allowed paid signature-gatherers—it came to light
4 that signature-gatherers had forged hundreds of signatures on initiative petitions.
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9 2. In the current election cycle, special interests seek to place "Referendum 71"
10 on the ballot, a referendum explicitly designed to strip civil rights from a minority group.
11 Referendum 71 seeks a statewide vote on Engrossed Second Substitute Senate Bill 5688,
12 which expanded the rights, responsibilities, and obligations under Washington State's
13 domestic partnership law, RCW 26.60, for registered same-sex and senior domestic partners.
14 Some paid signature-gatherers circulating petitions to place Referendum 71 misled voters
15 into signing petitions. Two of those voters were so troubled as to have written the Office of
16 the Secretary of State ("SOS") to remove their signatures from the petitions in question.
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19 3. In 2005, the Legislature adopted a critical shield against just this sort of
20 fraud: a requirement that each signature-gatherer fill out and sign a declaration on each
21 petition that he or she circulates. The signature-gatherer must—on personal knowledge and
22 under penalty of law—attest to certain facts: (1) that the individual personally circulated the
23 petition; (2) that to the best of the individual's knowledge; every person who signed the
24 petition willingly signed his or her true name, no person was adduced to sign by
25 compensation or the promise of compensation, and the information provided on the petition
26 is true and correct; and (3) that the signature-gatherer acknowledges that forgery of
27 signatures on the petition constitutes a class C felony, offering any consideration or gratuity
28 to any person to induce them to sign a petition is a gross misdemeanor, and both violations
29 are punishable by fine or imprisonment.
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1 4. The purpose of the declaration is clear. If the declaration is not signed, it
2 cannot serve this critical anti-fraud purpose. It is just a blank stamp.
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4 5. The Secretary of State ("the Secretary") is responsible for overseeing the
5 determination of whether a referendum qualifies for the ballot. Striving toward the laudable
6 goal of voter enfranchisement, the Secretary has made it a priority to accept signatures
7 whenever possible. Unfortunately, in so doing, the Secretary did not comply with certain
8 statutory requirements. In the course of the signature verification process for Referendum
9 71, it became apparent that the Secretary, relying on advice from the Attorney General, was
10 ignoring the requirement directed by the Legislature that the anti-fraud declaration be signed
11 by each signature-gatherer. Plaintiffs have received confirmation from the SOS that the
12 Secretary has accepted thousands of petitions on which the signature-gatherer who
13 circulated the petition did not sign the declaration.
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24 6. Likewise, the Plaintiffs received confirmation from the SOS that the
25 Secretary was ignoring the requirement that only individuals who were duly registered
26 voters could legally sign petitions. On August 17, the Secretary instructed his staff to
27 disregard the date reflected in the voter files as the voter registration date and accept
28 signatures from individuals who were not registered as of the date they signed the petition or
29 even by the date that the Referendum 71 petitions were filed. As a result, signatures by
30 individuals not registered to vote at the time they signed a petition were counted toward the
31 total number of signatures required to place Referendum 71 on the ballot, in contravention
32 of State law and in violation of the sworn oath every person signing a petition must make.
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42 7. Washington Families Standing Together ("Washington Families") made
43 every effort to work within the process established by the SOS to have these issues
44 addressed, particularly given that they had been expressly required by the Legislature as
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critical anti-fraud provisions. The Secretary disagreed as to his obligation to reject defective petitions or to take other corrective action. He has announced that he will complete the signature verification on Tuesday, September 1.

http://seattletimes.nwsourc.com/html/localnews/2009753281_referendum27m.html. Left with no other forum to have its concerns redressed, Washington Families brings this suit.

8. This lawsuit seeks an order declaring that the petitions and signatures submitted in violation of Washington law cannot be included in the count toward placing Referendum 71 on the ballot. Allowing the Secretary to accept petitions that do not contain a signed anti-fraud declaration required by the Legislature and to accept signatures from unregistered voters violates the law and circumvents the prescribed referendum process. The statutes governing referenda petitions are intended to ensure that only those referenda that capture the support of sufficient legal voters are placed on the ballot. This Court has the power and the duty to order the Secretary to faithfully apply the law, and should exercise that power to protect the integrity of the referendum process. Nowhere is this Court's duty to do so more urgent or necessary than where, as here, a referendum without the support of the requisite number of legal voters seeks to strip civil rights recognized by our Legislature and signed into law by the Governor of our state.

II. PARTIES

9. Plaintiff Washington Families is a statewide campaign, endorsed by more than 150 non-profit and faith-based organizations that all support Engrossed Second Substitute Senate Bill 5688 ("the enhanced domestic partnership law"), that is the subject of Referendum 71, and which is forestalled from going into effect so long as Referendum 71 is pending.

10. Plaintiff Anne Levinson is a citizen of Washington, a resident of King County, a lawful registered voter in King County, and an elector of Washington State as that term is defined in RCW 29A.04.061. A declaration of Plaintiff setting forth the grounds for this complaint is filed herewith.

11. Defendant Sam Reed is, and at all times relevant to this complaint was, the Secretary of State for the State of Washington. He is the chief election officer of Washington State.

III. JURISDICTION AND VENUE

12. The Court has jurisdiction over this matter and venue is proper in this Court pursuant to RCW 4.12.020(2) because the Defendant is a public officer of the State of Washington and Plaintiffs' causes of actions arose in King County.

IV. FACTS

13. Referendum 71 is a proposed ballot measure that seeks a statewide vote in an effort to overturn the enhanced domestic partnership law, which would expand rights, responsibilities, and obligations under Washington State's domestic partnership law, RCW 26.60 ("the original domestic partnership law"), for registered same-sex and senior citizen domestic partners.

14. On May 18, 2009, Governor Christine Gregoire signed the enhanced domestic partnership bill into law. The enhanced domestic partnership law provides critical protections to thousands of Washington families,¹ such as the right to take sick leave to care for an ill partner.

¹ There are 5,846 Domestic Partnership registrations as of August 12, 2009, in every county in the state. <http://www.secstate.wa.gov/corps/domesticpartnerships/>.

15. Protect Marriage Washington ("PMW") is an organization that seeks to overturn the enhanced domestic partnership law and collected signatures to place Referendum 71 on the general election ballot, pursuant to RCW 29A.72.

16. PMW signature-gatherers circulated petitions to gather signatures. A true and correct copy of one such petition is attached as Exhibit D to the Declaration of Kevin J. Hamilton ("Hamilton Decl.") in Support of Motion for Temporary Restraining Order, which is being filed concurrently with this Court. The first page of the petition is a signature page. The text of the law follows. A declaration for the signature-gatherer is printed on the back page of the petition. PMW was plainly aware of Washington's requirement that signature-gatherers sign the back of each petition they circulated. In prominent bold print, and without equivocation, Referendum 71 signature-gatherers were instructed on the petition that "[b]efore you mail in your petition, make sure to print and sign your name here," alongside a large black arrow indicating a line specifically provided for the signature gatherer's signature.

17. Signature-gatherers were also unambiguously instructed "Be sure to read instructions on proper signature gathering. *Remember this includes your signature on the back of the petition.*" (emphasis added). A true and correct copy of this instruction is attached as Exhibit H to the Hamilton Declaration. Signature-gatherers were expressly cautioned that "[i]f signatures are presented on a petition form that does not completely comply with the state regs, it will be thrown out " and that this meant that "[a]ll Signature Gather[er]s must sign the back of their petition form."

18. PMW obviously included this declaration because it is required by State law. Pursuant to RCW 29A.72.130, each signature-gatherer for a referendum petition must make "[t]he following declaration [that] must be printed on the reverse side of the petition":

I, _____ swear or affirm under penalty of law that I circulated this sheet of the foregoing petition, and that, to the best of my knowledge, every person who signed this sheet of the foregoing petition knowingly and without any compensation or promise of compensation willingly signed his or her true name and that the information provided therewith is true and correct. I further acknowledge that under chapter 29A.84 RCW, forgery of signatures on this petition constitutes a class C felony, and that offering any consideration or gratuity to any person to induce them to sign a petition is a gross misdemeanor, such violations being punishable by fine or imprisonment or both.

(the "Required Oath").

19. Some PMW signature-gatherers used deceptive practices to induce voters who supported the enhanced domestic partnership law to sign Referendum 71 petitions. After learning they had been misled, some voters formally petitioned the SOS to remove their signatures from the petitions. True and correct copies of two such letters (with the names and addresses redacted by the SOS) are attached as Exhibit C to the Hamilton Declaration.

20. On July 25, 2009, PMW submitted approximately 137,689 signatures to the SOS. Under RCW 29A.72.150, while an initiative requires 8% of the electors from the last gubernatorial election sign petitions to qualify for the ballot, a referendum needs only half that amount, or 4%, to be placed on the ballot. Therefore, the minimum number of signatures to qualify Referendum 71 was determined by the SOS to be 120,577.

21. PMW sorted and organized its petitions at the bottom of the Capitol stairs in Olympia before delivering the petitions to SOS staff. In the course of this final sort, PMW realized that many signature-gatherers had not filled out the required declaration on the back of the petition. SOS staff observed as PMW personnel obtained a signature stamp from Larry Stickney, the campaign manager for PMW, and affixed Mr. Stickney's stamp to many

1 petitions whose signature-gatherer had not completed the declaration. The text of a voice
2 mail from SOS employees describing the SOS' observation of this process is included in
3 Paragraph 5 of the Hamilton Declaration.
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6 22. The Secretary accepted the petitions that PMW staff stamped with Mr.
7 Stickney's name on July 25, 2009. Pursuant to RCW 29A.72.130, an individual who signs
8 the signature-gatherer declaration must attest that he or she personally circulated the
9 petition. It is a violation of State law to sign a petition circulated by another. Obviously,
10 one cannot truthfully attest "under penalty of law" to the required statements if the signer did
11 not personally circulate the petition and does not have personal knowledge of the relevant
12 facts. Nor can one validly sign the declaration by signing *someone else's* name.
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15 23. Pursuant to a public disclosure request, Plaintiffs have learned that the
16 Secretary accepted 33,966 signatures on 2,508 petitions ("Unverified Petitions") where Mr.
17 Stickney's name had been stamped in the signature-gatherer declaration. It is a violation of
18 State law to sign a petition circulated by another or to sign someone else's name on the
19 declaration. Attached as Exhibit E to the Hamilton Declaration is a true and correct copy of
20 the first page of a spreadsheet prepared by the SOS in response to a public disclosure request
21 identifying Unverified Petitions.
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24 24. Pursuant to the same public disclosure request, Plaintiffs have learned that
25 the Secretary accepted 2,058 signatures on 162 petitions where the signature-gatherer
26 declaration was left *entirely blank*.
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29 25. On August 21, 2009, Washington Families requested that the Secretary reject
30 all signatures contained on petitions where the signature-gatherer declaration was either
31 blank or where Mr. Stickney (or someone else stamping and attesting to Mr. Stickney's
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1 name) "signed" the declaration without personally circulating the petition. On August 26,
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3 2009, the Secretary refused to do so.

4 26. Because PMW submitted so few signatures above the bare minimum, the
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6 Secretary was not confident that a random statistical sample would accurately conclude that
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8 there were sufficient valid signatures to certify the measure for the ballot. Therefore, the
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10 Secretary determined that a 100% check was appropriate.

11 27. Beginning the week of July 27, 2009, the SOS began determining how many
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13 valid signatures had been submitted. The SOS has announced that the signature verification
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15 process will conclude in a matter of days.

16 28. The SOS began the signature verification check by binding multiple petitions
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18 into "volumes" to facilitate the verification process. In thousands of instances, the SOS
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20 accepted petitions that did not include the anti-fraud declaration, but in others, the SOS
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22 rejected petitions that did not attach a "readable, full, true and correct copy of the proposed
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24 measure printed on the reverse side of the petition" as required by RCW 29A.72.100. Like
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26 the signature-gatherer declaration, the "full text" requirement prevents fraud, and ensures
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28 that potential signatories can intelligently evaluate what they are asked to sign.

29 29. While the SOS has conducted 57 signature verifications since 1990, only
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31 three others have been 100% manual checks, rather than by sample. During the check, SOS
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33 staff compared signatures on petitions to signatures on file in the statewide voter registration
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35 database to determine if each signature was that of a registered voter, as required by State
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37 law.

38 30. The deadline for submission for petitions was July 25, 2009. The signature
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40 verification process for Referendum 71 began the week of July 27, 2009. To conduct the
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42 signature verification process, the SOS hired approximately 30 signature checkers ("initial
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checkers") and eight "master checkers." The verification was conducted in two daily shifts, the first running from 7:30 am to 3:30 pm, and the second running from 3:30 p.m. to 10 p.m.

31. Initial checkers are temporary employees who receive approximately two hours of training before beginning their first shift. An initial checker uses his or her computer terminal to locate each signer in the statewide voter registration database. The signature is rejected as "not found" if the voter is not located (i.e., because the signer is not a registered voter).

32. So-called "master checkers," who are generally more experienced, review all signatures rejected by initial checkers. Depending on the reason for the initial rejection, master checkers determine whether an individual signer is, in fact, a registered voter. Master checkers review only rejected signatures. If the master checker also cannot locate an individual in the statewide voter registration database, the master checker affirms the decision to reject the signature on the basis of "not found." Master checkers do not review *any* signatures *accepted* by initial checkers. Thus, for signatures initially determined to be valid, there is no level of review after the first line checker, regardless of whether the signatures or the address may have been assessed as a match in error.

33. During the verification process, an observer for PMW, in violation of SOS rules, disclosed the name of a signature that had been rejected as not duly registered ('not found') to the PMW campaign, and the PMW campaign demanded that the SOS re-check that signature. The SOS realized that it had been using a copy of the statewide voter registration database that was only current through June 19, 2009. Concerned that voters who registered between June 19 and July 25 might be rejected in error, the SOS did not switch all checkers to the current data base but instead added a third group of checkers to look again for any signatures rejected as 'not found' using a "live" version of the database.

1 34. While the purpose of this third check of rejected signatures was to be limited
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3 to the laudable goal of ensuring that if a signer timely registered to vote between June 19
4 and July 25, he or she would be accepted as a validly registered voter, the SOS implemented
5 this change in a way that resulted in more than 700 hundred signatures that had previously
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7 been rejected by two rounds of checkers now being accepted.
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10 35. Under RCW 29A.72.130, an individual must attest that she or he is a
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12 registered voter *at the time the petition is signed* by averring that "I have personally signed
13 this petition [and] *am* a legal voter of the State of Washington." RCW 29A.72.130
14 (emphasis added). The petition must provide a space for the signer to write in the address at
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16 which she or he is currently registered. Referendum 71 form petitions are in compliance
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18 with the statute in this regard – every signer had to attest that he or she was a legally
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20 registered voter at the time of signing. Ignoring the plain language of the statute, and the
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22 language on the petitions themselves, the Secretary has taken the position that a petition
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24 signer simply needed to be a registered voter *by the date that the signature is checked by*
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26 *the SOS, even where that date is up to a month after the 90-day period when petitions and*
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28 *signatures had to be turned in.* Such a position is in flat contradiction to Washington law.
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32 36. Based on this position, the SOS did not in fact limit this database search to
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34 those new registrants. Instead, the Secretary instructed staff conducting the third review that
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36 they should *not* reject a signature based on the date the voter registered; indeed, they were
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38 directed to disregard the date of registration when reviewing the file. A true and correct
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40 copy of these instructions is attached as Exhibit G to the Hamilton Declaration.
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42 37. As a result, Washington Families observers have witnessed SOS staff
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44 accepting signatures from voters who registered *after* the Referendum 71 petitions were
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46 filed (and thus, who could not possibly have been registered at the time they signed the
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petition or even by the time the petitions were submitted to the Secretary). The Secretary is aware, therefore, that these individuals *falsely* attested that they were registered voters at the time the petition was signed. He accepted all of these fraudulent signatures regardless. That is, notwithstanding the fact that two out of three of the Secretary's own verification staff had *rejected* the signature, the Secretary nonetheless accepted it.

38. Because SOS staff were instructed to disregard the date of registration, they also 'rehabilitated' hundreds of signatures that had been found to be not valid by both the initial checkers and the master checkers, for no apparent reason, since many newly accepted signatures were from voters who registered years before June 19, 2009.

39. Under RCW 29A.72.230, interested parties are permitted to have at least two observers present at all stages of the signature check process. The Secretary originally permitted Washington Families and PMW the bare minimum—two observers each. Eventually, the Secretary permitted each side an additional observer. After the SOS added the third layer of review for *rejected* signatures, each side was allowed five observers (two of whom were to be specifically devoted to observing the new layer of review of the "live" database, which only applied to rejected signatures).

40. Observers from Washington Families and PMW were present throughout the verification process. Washington Families trained more than 60 volunteer observers. Washington Families reviewed the SOS guidelines with each observer, and provided a lead observer for each shift to help answer questions and provide a single point of contact with SOS staff. Washington Families directed its teams of observers to comply with all procedural rules developed by the SOS, including not interacting with checkers, and not writing down names or contact information from the petitions.

1 41. Guidelines published by the SOS instruct observers to speak to SOS
2 supervisors about observed errors, but do not require the supervisor to address the concern
3 or take any action. During the first week of the verification, Washington Families lead
4 observers asked supervisors how to handle issues that they or other Washington Families
5 observers had witnessed. They were advised to record the issues and raise them at a later
6 time. It quickly became apparent that SOS supervisors could not address each of the many
7 observed issues as they arose without seriously disrupting the process. Accordingly,
8 Washington Families directed its teams to record all issues so that Washington Families
9 could present SOS staff with collections of problems that would allow the SOS to review the
10 issues more efficiently.
11

12 42. On August 18, Washington Families asked the SOS to review more than
13 1,000 possible errors spotted by observers with regard to signatures and addresses that did
14 not appear to match and petitions where a single individual appeared to have signed on
15 behalf of several other people. The SOS had previously reviewed 222 similarly noted errors
16 from the observers and had discovered that 13% had been accepted in error that should have
17 been rejected. The SOS nonetheless rejected the request to review the next sample noted by
18 the teams of observers and submitted by the lead observers.
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20 43. On August 24, 2009, Washington Families' lead observers requested that
21 SOS supervisors review more than 200 additional errors spotted by its observers with regard
22 to the same issues. The SOS rejected that request as well. By refusing even to examine the
23 relatively small number of questionable signatures (and less than 1% of the total), despite
24 the errors discovered in the initial re-check submitted by the observers, and not providing an
25 alternative means to address issues seen and noted by observers, the Secretary has acted
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1 arbitrarily, and has included all of these signatures in those being counted as valid for
 2 purposes of qualifying the referendum for the ballot.
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4 44. Washington Families' observers have diligently recorded numerous instances
 5 where they believe signatures were accepted in error, but the Secretary afforded no process
 6 to have these issues addressed. The reason State law requires that observers be allowed to
 7 view the verification check is to ensure that the verification is conducted consistent with
 8 State law and to instill public confidence in the result. By instructing Washington Families
 9 to record issues and potential errors without providing any avenue to have them redressed,
 10 the Secretary has defeated the very purpose of allowing observers in the first instance.
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19 FIRST CAUSE OF ACTION

20 DECLARATORY RELIEF

21 45. Plaintiffs reallege and incorporate by reference, as if fully set forth herein, the
 22 allegations in paragraphs 1-44 above.
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25 46. For reasons including those stated herein, an actual dispute exists between the
 26 Plaintiffs and the Defendant, and the parties have genuine and opposing interests, which
 27 interests are direct and substantial, and of which a judicial determination will be final and
 28 conclusive.
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34 47. Plaintiffs are, therefore, entitled to a judgment that, as a matter of law, (1) the
 35 Required Oath must be executed by the signature-gatherer, (2) petitions submitted with an
 36 unexecuted Required Oath are not in the form required by RCW 29A.72.130; (3) petitions
 37 submitted with a Required Oath signed by an individual who did not personally circulate the
 38 petition, as well as those signed by an individual other than the named declarant, violate
 39 state law and are not in the form required by RCW 29A.72.130; and (4) the SOS cannot
 40 count petitions with an unsigned or deficient Required Oath toward the number of legal
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1 voter signatures necessary to qualify Referendum 71 for the ballot, as well as any further
 2 relief that may follow from the entry of such declaratory judgment.
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4 48. Plaintiffs are further entitled to a judgment that, as a matter of law, the
 5 signature of an individual who is not a legal voter at the time he or she signs the petition is
 6 invalid and cannot be counted toward the number necessary to qualify a referendum for the
 7 ballot.
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12 **SECOND CAUSE OF ACTION**

13 **STATUTORY WRIT OF MANDAMUS: UNVERIFIED PETITIONS**

14 49. Plaintiffs reallege and incorporate by reference, as if fully set forth herein, the
 15 allegations in paragraphs 1-48 above.
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18 50. Under RCW 7.16, the Court may issue a writ of mandamus to any person to
 19 compel the performance of an act which the law especially enjoins as a duty resulting from
 20 an office, trust or station where there is no plain, speedy, and adequate remedy in the
 21 ordinary course of law.
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24 51. The Unverified Petitions did not contain a statutorily-mandated safeguard
 25 against fraud and forgery in the signature-gathering process, and thus do not contain critical
 26 information required by RCW 29A.72.130. The Unverified Petitions are not in substantial
 27 compliance with RCW 29A.72.130, and RCW 29A.72 requires the Secretary to reject such
 28 noncompliant petitions.
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31 52. Plaintiffs possess an interest in the granting of the writ of mandamus beyond
 32 that shared by other citizens.
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35 53. For reasons including those listed herein, Plaintiffs lack a plain, speedy, and
 36 adequate remedy in the ordinary course of law.
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1 knowledge of the facts contained in the Required Oath and still others by someone other
 2 than the named declarant.
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4 75. In accepting these petitions, and counting a material number of the signatures
 5 contained therein toward the number necessary to qualify Referendum 71 for the ballot, the
 6 SOS is acting without authority of law and in a judicial or quasi-judicial manner.
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10 76. The Secretary's action in accepting petitions that contain nugatory
 11 declarations that cannot serve their intended purpose, and in counting a material number of
 12 the signatures contained therein toward the number necessary to qualify Referendum 71 for
 13 the ballot is arbitrary and capricious, and is a willful and unreasoning action, taken without
 14 consideration and in disregard of facts or circumstance.
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20 77. Pursuant to the Court's authority to review agency decisions for arbitrary and
 21 capricious action, Plaintiffs are entitled to a writ of mandamus, prohibition, or certiorari
 22 preventing the Secretary from accepting the Unverified Petitions and counting the signatures
 23 contained therein toward the number necessary to qualify Referendum 71 for the ballot.
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29 SEVENTH CAUSE OF ACTION

30 **ARBITRARY AND CAPRICIOUS ACTION: UNREGISTERED VOTERS**

31 78. Plaintiffs reallege and incorporate by reference, as if fully set forth herein, the
 32 allegations in paragraphs 1-77 above.
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36 79. In the face of express Constitutional and statutory provisions stating that only
 37 legal voters may sign referenda petitions, the Secretary has specifically instructed his staff to
 38 count signatures of unregistered voters toward the total necessary to qualify Referendum 71
 39 for the ballot.
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1 comply with State law; and (2) that the Secretary cannot count signatures on Unverified
 2 Petitions toward the total necessary to qualify Referendum 71 for the ballot.
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4 C. For entry of declaratory judgment that as a matter of law (1) the signature of
 5 a voter who was not registered at the time he or she signed the petition is not the signature of
 6 a "legal voter"; (2) the signature of a voter who was not registered as of the filing date for
 7 Referendum 71 is not the signature of a "legal voter"; and (3) the signatures of individuals
 8 who are not legal voters cannot be counted toward the total necessary to qualify Referendum
 9 71 for the ballot.
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12 D. For a statutory writ of mandamus directing the Secretary to reject all
 13 signatures contained on Unverified Petitions, as well those of individuals who are not legal
 14 voters.
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16 E. For a statutory writ of prohibition preventing the Secretary from including
 17 signatures on Unverified Petitions and signatures of individuals who are not legal voters
 18 toward the total necessary to qualify Referendum 71 for the ballot.
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21 F. For a writ of mandamus, prohibition, or certiorari preventing the Secretary
 22 from including signatures on Unverified Petitions and signatures of individuals who are not
 23 legal voters toward the total necessary to qualify Referendum 71 for the ballot.
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26 G. For Plaintiffs' costs of suit; and
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28 H. For such other relief as the Court may deem just and proper.
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2 DATED: August 27, 2009
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PERKINS COIE LLP

By: 

Kevin J. Hamilton, WSBA No. 15648
William B. Stafford, WSBA No. 39849

Attorneys for Plaintiffs

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COMPLAINT – 22

24

EXHIBIT A

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Perkins Coie LLP
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000